IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 27071 of 2004(W)

PETITIONERS:

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1. **M.R.ASOKA KUMAR, D-4, G.P.R.A., KUNNUMPURAM, KAKKANAD, COCHIN-30.**
2. **V.T.SANTHOSH, S/O.S THANKAPPAN, AGED 37, 'SREEVALSAM', POYACHARA, KAKKANAD, COCHIN-682 030.**
3. **K.K.NARAYANAN, S/O. LATE K.K.ETTIATHI, AGED 55, HOUSE NO.90-A, WARD NO.13, PADAMUGAL, KAKKANAD, COCHIN-30.**
4. **UJALA BALAKRISHNAN, S/O. LATE K.K.BALAKRISHNAN, AGED 39, N.G.O. QUARTERS, KAKKANAD, COCHIN-21.**

BY ADV. SRI.G.S.REGHUNATH.

RESPONDENTS:

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1. **THE KENDRIYA VIDYALAYA, KADAVANTHARA, ERNAKULAM, COCHIN 682 020, REP.BY ITS PRINCIPAL.**
2. **THE COMMISSIONER, 18, KENDRIYA VIDYALAYA SANGATHAN, INSTITUTIONAL AREA, SHAHEED JEET SINGH MARGH, NEW DELHI - 110 016.**
3. **THE ASST.COMMISSIONER, KENDRIYA VIDYALAYA SANGATHAN, REGIONAL OFFICE, IIT CAMPUS, CHENNAI.**

W.P.(C). NO.27071/2004:

4. THE PARENTS TEACHERS ASSOCIATION,
KENDRIYA VIDYALAYA, ERNAKULAM, REP.BY ITS CHAIRMAN

5. THE UNION OF INDIA, REP.BY THE SECRETARY
TO GOVT.OF INDIAN HUMAN RESOURCES DEPARTMENT,
NEW DELHI.

BY ADV. M/S.IYER & IYER, SC.KENDRIYA VIDYALAYA,
ASST. S.G. SRI. JOHN VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.27071/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE RELEVANT PAGES OF THE BYE-LAWS OF THE KENDRIYA SANGATHAN.

EXT.P.2: COPY OF THE PERFORMANCE REPORT AND AUDITED ACOUNTS OF THE R.4. FOR THE PERIOD FROM 16/10/1999 TO 28/02/2001.

EXT.P.3: COPY OF THE OFFICE MEMORANDUM DTD. 31/09/2003.

EXT.P.4: COPY OF THE MINUTES OF THE MEETING HELD ON 20/09/2003 HELD BY THE PTA.

EXT.P.5: COPY OF THE MINUTES OF THE MEETING HELD ON 25/10/2003 HELD BY THE PTA.

EXT.P.6: COPY OF THE LETTER DTD. 10/10/2003 SENT TO R.3. BY THE SECRETARY OF THE R.4.

EXT.P.7: COPY OF THE LETTER DTD. 27/10/2003 SENT TO R.2. BY THE R.4.

EXT.P.8: COPY OF THE CIRCULAR ISSUED BY THE SECRETARY OF P.T.A.

EXT.P.9: COPY OF THE LETTER DTD. 19/11/2003 RECEIVED BY THE SECRETARY OF THE R.4. FROM THE PRINCIPAL OF R.1.

EXT.P.10: COPY OF THE MINUTES OF THE EXECUTIVE COMMITTEE OF P.T.A.

EXT.P.11: COPY OF THE REPRESENATION SUBMITTED TO THE HONOURABLE MINISTER FOR HUMAN RESOURCES WITH COPIES TO RESPONDENTS.

EXT.P.12: COPY OF THE REPRESENTATION DTD. 06/08/2004 SUBMITTED TO THE R.1.

EXT.P.13: COPY OF THE REPRESENTATION SUBMITTED TO R.2.

EXT.P.14: COPY OF THE REPRESENTATION SUBMITTED TO R.3.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) NO. 27071 OF 2004

Dated this the 21st day of March, 2007.

J U D G M E N T

This writ petition is filed with the following prayers.

A) That a writ of mandamus or other order be passed directing the respondents to retransfer the amounts of Rs. 3,07,558/- to the Transport Committee Account/Bus Aminities Fund in A/C. No. 923 in the Ernakulam Urban Co-operative Societies Ltd. No. 7, Gandhi Nagar from the Vidyalaya Vikas Nidhi of the 1st respondent.

B) That a writ of mandamus or other order be issued directing the respondents not to appropriate any amount belonging to the Bus Using Parents kept in Bus Aminities Fund/ Transport Committee Accounts set apart for maintaining and conducting the Bus service in the 1st respondent for the students availing Bus Service mentioned above.

2. It is seen that the petitioners have already approached the second and third respondent by way of Exhibits P13 and P14 representations. In case no action has been taken in the matter so far by the third respondent, petitioners may produce a copy of this judgment before the third respondent, in which case, appropriate action in accordance with law on Exhibit P14 will be taken with notice to the petitioners and respondents 1 and 4 within a period of another four months.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp